

IN RE: PETITION FOR ZONING VARIANCE
N/S Old Elm Court, W of Hill
Spring Drive
(6 Old Elm Court)
8th Election District
3rd Councilmanic District
Diversified Homes MLP of
Maryland - Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-425-A

FINDINGS OF FACT & CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a window to property line setback of 10 feet in lieu of the required 15 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Jan Kircorff, Project Production Manager, appeared, testified, and were represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition were Julie Higgins, Landscape Architect with Crozier Associates and John Copes, Vice President, Excaliber Properties, Inc., General Partner of Hillside at Seminary Joint Venture, Developer of the subject property. There were no Protestants.

Testimony indicated that the subject property, known as 6 Old Elm Court and also known as Lot 58 of Hillside at Seminary, consists of .36 acres zoned D.R. 2 and is currently improved with a single family dwelling. Testimony presented indicated that construction of the subject dwelling commenced late last fall and was near completion in February 1989 when the Petitioners were advised by the developer's engineers that all the lots in the subject development were subject to Section V.B.6.b of the Comprehensive Manual of Development Policies (C.M.D.P.) and Sections 1801.2C.6 and 504 of the Baltimore County Zoning Regulations (B.C.Z.R.) which required a window to property line setback of 15 feet. It was subsequently determined

that the subject property in addition to a few other properties in the development were in violation of this regulation. In the instant case, the dwelling has a setback of 10 feet from a window to the property line. Petitioners subsequently contacted Crozier Associates, who had been employed to layout the development in compliance with County regulations. Ms. Higgins testified the error was made by her firm on this property and two other properties in this development. Pictures and testimony presented indicated that the spirit and intent of the zoning regulations would be met if the variance were granted for Lot 58 due to the location and staggering of the houses on adjoining properties. Testimony indicated that at the time the violation was noted, the house was almost complete and under contract for purchase by Gordon and Drucella Lifson who had settled on the property in December, 1988 and needed to vacate their present home by March 30, 1989. Petitioners argued that the granting of the requested variance will not result in any detriment to the health, safety or general welfare of the community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. *McLean v. Soley*, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in a fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Under on v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 24th day of May, 1989 that the Petition for Zoning Variance to permit a window to property line setback of 10 feet in lieu of the required 15 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:hjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Hines
Zoning Commissioner

May 24, 1989



Donald F. Rasmussen
County Executive

Newton A. Williams, Esquire
Hampton Plaza, Suite 1105
Towson, Maryland 21204
RE: PETITION FOR ZONING VARIANCE
N/S Old Elm Court, W of Hill Spring Drive
(6 Old Elm Court)
8th Election District - 3rd Councilmanic District
Diversified Homes MLP of Maryland - Petitioners
Case No. 89-425-A

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:hjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Sections 1801.2C.6, 504, and the Comprehensive Manual of Development Policies V.B.6.b to permit window to lot (property) line of 10 ft. for the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
1. As to Lot 58, the house is almost finished, and it would be impractical and foolish to tear it down, or to eliminate windows on the east side.
2. That without the requested variance the petitioner will sustain and are sustaining practical difficulty and unreasonable hardship, and the requested variances are in harmony with the spirit and intent of the Regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser: Diversified Homes MLP of MD
(Type or Print Name)

Signature: *[Signature]*
(Type or Print Name)

Address: 7920 McDonough Road, Suite 102
City and State: Owings Mills, MD 21117

Attorney for Petitioner: Newton Williams
John Plunhoff & Williams
(Type or Print Name)

Signature: *[Signature]*
Address: Suite 1105, Hampton Plaza
City and State: Towson, MD 21204

Attorney's Telephone No.: 823-7800

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of March, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that the property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of May, 1989, at 2 o'clock P.M.

J. Robert Hines
Zoning Commissioner of Baltimore County

Development Engineering Consultants, Inc.

Site Engineers & Surveyors

ZONING DESCRIPTION

FOR LOT 58

Beginning on the northeast side of Old Elm Court, 40 feet wide at the distance of 180 feet west of the centerline of Hill Spring Drive. Being Lot 58 in the subdivision of The Hillside at Seminary, Plat Two. Book E.H.K., Jr. 53 folio 74. Also known as #6 Old Elm Court in the eighth Election District.

03-01-89

89-122

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Jan Kircorff	11813 MARLEN CT Rockville, MD
Julie Higgins	2300 Chestnut Ave Annapolis, MD
Me [Signature]	408 Old Elm Court Baltimore, MD
To Ann Copes	Hillside at Seminary U.I. 235 E. Redwood Street, Room 21202
Newton A. Williams	1105 Hampton Plaza 21204 823-7800

The Hillside At Seminary Joint Venture

802 Garrett Building • Baltimore, Maryland 21202

(301) 685-8588

Developers of The Hillside At Seminary

May 3, 1989

Ms. Ann Nastarowicz, Esq.
Deputy Zoning Commissioner, Baltimore County
Baltimore County Office Building
Towson, Maryland 21204

RE: Variance Petition, Hillside at Seminary

Dear Ms. Nastarowicz:

I thank you for giving me an opportunity to speak at the hearing on the variance petitions for five lots at the Hillside at Seminary on May 2, 1989. Since my testimony came somewhat unexpectedly, my remarks were not perhaps as clear as they might have been. I would like to take this opportunity to present information more logically here.

I believe Mr. Williams and the representatives of Diversified Homes and Crozier Associates thoroughly presented the issues as they relate to the three lots which had all undergone various levels of house construction when the problems were discovered in February. I would therefore like to confine my comments here to lots 56 and 74 which are still owned by the Hillside at Seminary Joint Venture, but under contract to Diversified Homes MLP of Maryland.

As developer of this subdivision, we have made every effort to assure an attractive community of high quality homes. To this end, we sought only a few builders to buy lots at Hillside on the three lower courts, rather than selling lots off individually as had been intended by the previous owner/developer. In so doing we felt we could get maximum coordination in home construction resulting in better land use on what are admittedly difficult lots due to their narrowness. This site had been subdivided and recorded prior to our purchase of it.

As the contract purchaser for 17 of the 19 lots on Old Elm Court, we insisted that Diversified Homes submit for review prior to construction, a complete site plan showing all of the homes to be built. We were all very conscious of the County's

requirements for window to window setbacks, house to house distances and height to height requirements. If you review the site plan for the entire street, I am sure you will appreciate the tremendous effort that went into making all of those things work, somewhat akin to a jigsaw puzzle.

Overlooked however, were the window to lot line and right-of-way setbacks. I assure you this was inadvertent and when the error was discovered, we moved immediately to make adjustments in siting where possible, and to apply for variances where no reasonable adjustments could be made.

While the hardships imposed in those cases where houses were already under construction are more obvious, there would indeed be a hardship if the window to right-of-way setback is not waived for lots 56 and 74.

Because houses have already been constructed on each of the adjacent lots, the building envelopes for these two corner lots have already been constrained by the placement of those homes. Without the waiver, we would be left with very small envelopes in which to construct houses, the width of which would be cut off keeping with the rest of the community.

Hillside at Seminary is a lovely community where there will eventually be 84 homes. It has strict architectural covenants and all plans and exterior changes are reviewed by a committee of professionals. We have spent tens of thousands of dollars on reviews by a registered architect and landscape architect to assure each home is compatible and that site grading and drainage is handled appropriately.

The two corner lots, 56 and 74, are directly across from a landscaped open space parcel on the east side of Hill Spring Drive. An abbreviated setback from the right-of-way would have no impact on other homeowners. There are currently a number of residents at Hillside. We note for the record that there were no protests to the granting of any of these variances.

We ask your positive consideration of our request and I thank you again for the opportunity to address you on this matter.

Sincerely,
EXCALIBUR PROPERTIES, INC.
General Partner

JOANN COPES
Vice President

cc: Newton A. Williams

CERTIFICATE OF POSTING 89-425-A
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

District: 8th Date of Posting: April 10, 1989
Posted for: Variance
Petitioner: Diversified Homes, MLP of MD
Location of property: 11 Side Old Elm Court, West of Hill Spring Drive
6 Old Elm Court
Location of Sign: In front of 11 Side Old Elm Court
Remarks:
Posted by: J. Robert Haines Date of return: April 14, 1989
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 6, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 6, 1989.

THE JEFFERSONIAN,

S. Zabe Olson
Publisher

PO 10916
reg. M 27117
ca 89-425-A
price \$95.29

RECEIVED
MAR 15 1989
ZONING OFFICE

Zoning Commissioner, Baltimore County
Towson, Maryland 21204
RE: 6 Old Elm Court, Lutherville, MD

Gentlemen:

It has come to our attention that there may be a problem in obtaining an occupancy permit for the above-referenced property. We would ask that you consider this matter at your earliest convenience and grant a variance for same for the following reasons:

1. We have sold our home that we are presently residing in and must vacate the premises by no later than March 30, 1989. We settled on this property in December, 1988, and the new homeowner's mortgage company will not allow us to rent back for even one extra day. Therefore, it is imperative that we move out on the aforementioned date.
2. We have two small children who are in their last semester of kindergarten and first grade, respectively. In order to effect an easy transition for them without too much disruption to their daily routine and emotional well-being, it would be most beneficial if they were not moved to temporary housing.
3. We would incur a great deal of expense in storage fees and moving costs, which at this time would create a tremendous financial burden.
4. Our commitment from our mortgage broker will expire on May 1, 1989. At that time we would be required to re-apply, thereby costing us an additional point (or two) and in all likelihood the interest rate would be higher than the one we are currently locked in at.

We hope that the above will assist you in determining this case. Your kind cooperation in this matter would be greatly appreciated by us and by our children.

Very truly yours,
Gordon B. Lifson
Gordon B. Lifson
Ursula R. Lifson

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

Date: 4/10/89



Dennis F. Rasmussen
County Executive

Diversified Homes, MLP of MD
7020 McDonough Road, Suite 102
Beltsville, Maryland 21117

Re: Petition for Zoning Variance
CASE NUMBER: 89-425-A
N Side Old Elm Court, West of Hill Spring Drive
6 Old Elm Court
8th Election District - 3rd Councilmanic
Petitioner(s): Diversified Homes, MLP of MD
HEARING SCHEDULED: TUESDAY, MAY 2, 1989 at 2:00 p.m.

Gentlemen:
Please be advised that 4/10/89 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 106, 111 W. Chesapeake Avenue, Towson, Maryland 21204, 15 minutes before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
SCHELLANEOUS CASH RECEIPT
DATE: 5/3/89 ACCOUNT: R-01-615-000
AMOUNT: 110.29
RECEIVED FROM: Crozier Assoc.
FOR: P.R. 5/3/89 Haines 89-425-A
B 135*****102210 6C3F

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 6, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 6, 1989.

TOWSON TIMES,

S. Zabe Olson
Publisher

PO 10916
reg. M 27117
ca 89-425-A
price \$95.29

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:
Petition for Zoning Variance
CASE NUMBER: 89-425-A
N Side Old Elm Court, West of Hill Spring Drive
6 Old Elm Court
8th Election District - 3rd Councilmanic
Petitioner(s): Diversified Homes, MLP of MD
HEARING SCHEDULED: TUESDAY, MAY 2, 1989 at 2:00 p.m.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
TJ-4004 Apr. 6

can appear for any hearing held on May 2, 1989 would be April 13, 1989. Advertisements are inserted one week early, allowing for human error. Incorrect wording in the ad would cause postponement of the case. The early runs allow time to telephone and inform the necessity to run the ad again.

The above being the case, when your petition was filed, the zoning docket was scheduled up to and including April 28, 1989.

The hardships outlined in your letter are real and deserving of the consideration we have given in assigning this case 30 days prior to the normal. Unfortunately, it is impossible to set the matter on an earlier date.

Very truly yours,

J. Robert Haines
J. Robert Haines
Docket Clerk
887/3391

999

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

March 16, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-425-A
N Side Old Elm Court, West of Hill Spring Drive
6 Old Elm Court
8th Election District - 3rd Councilmanic
Petitioner(s): Diversified Homes, MLP of MD
HEARING SCHEDULED: TUESDAY, MAY 2, 1989 at 2:00 p.m.

Variance to permit window to lot (property) line of 10 ft. for the required 15 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Diversified Homes, MLP of MD
Newton A. Williams, Esq.
Mr. & Mrs. Lifson
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

March 16, 1989

Mr. & Mrs. Gordon B. Lifson
4228 Mary Ridge Drive
Randallstown, Maryland 21133

Re: Item 369
Case # 89-425-A

Dear Mr. & Mrs. Lifson:

This office has just received your correspondence dated March 2, 1989, wherein you request a hearing date prior to March 30, 1989. By now you are in receipt of the hearing notice indicating that the above captioned matter will be heard on May 2, 1989. Zoning Commissioner Haines requested that I write to you, explaining facts relative to the scheduling of your case.

The normal time span between the date of filing and date of hearing is three months. This Petition was filed on March 3, 1989, giving it an approximate hearing date of June 3, 1989. However, at the time of filing, the attorney representing Diversified Homes requesting the matter be set in as soon as possible. The May 2, 1989 date strictly conforms to that request.

Firstly, regulations state that cases are to be set no sooner than 30 days and no later than 90 days after acceptance. The 30 days, to allow review by other agencies; the 90 days, in order that these matters be moved timely through the system. Secondly, regulations also require all zoning hearings to be advertised in two separate newspapers 15 days prior to the hearing. Although, logic would dictate the need of only several more days to timely place the ads, such is not the case. In way of example, I will use the May 2, 1989 hearing date you now have. The ads for this date will run on April 5th and 6th. The newspaper deadline for these issue dates is March 30, 1989. Once the ads are prepared, they must go to the County's central purchasing agency, who will process and mail the purchase order to the newspaper. Processing and mailing time amounts to approximately ten days. Therefore, the newspaperwork must leave my desk by March 20, 1989. County newspapers are published weekly and the last issue meeting regulations in which an ad

Ursula R. Lifson
4228 Mary Ridge Drive
Randallstown, Maryland 21133

March 2, 1989

Zoning Commissioner, Baltimore County
Towson, Maryland 21204

RE: 6 Old Elm Court, Lutherville, MD (Item 369)

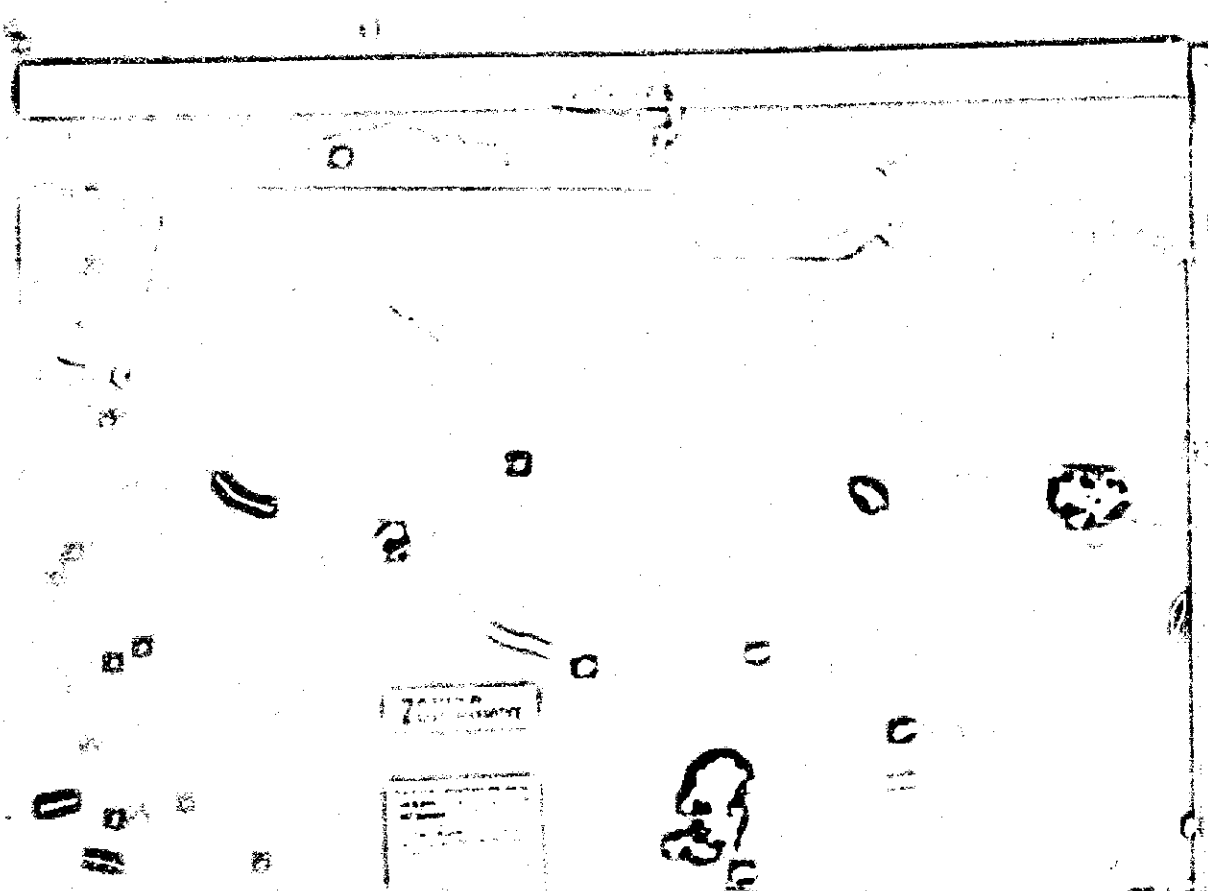
Gentlemen:

It has come to our attention that there may be a problem in obtaining an occupancy permit for the above-referenced property. We would ask that you consider this matter at your earliest convenience and grant a variance for same for the following reasons:

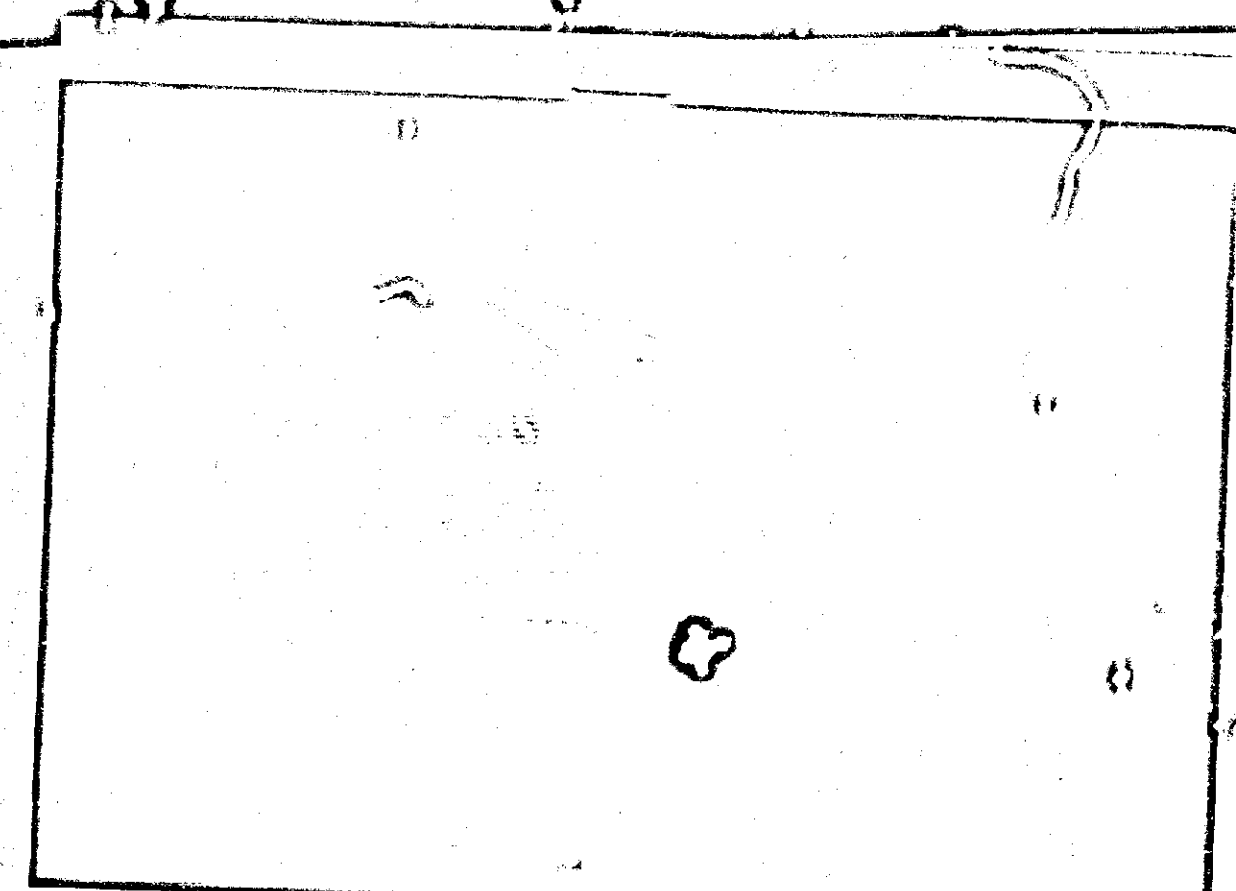
1. We have sold our home that we are presently residing in and must vacate the premises by no later than March 30, 1989. We settled on this property in December, 1988, and the new homeowner's mortgage company will not allow us to rent back for even one extra day. Therefore, it is imperative that we move out on the aforementioned date.
2. We have two small children who are in their last semester of kindergarten and first grade, respectively. In order to effect an easy transition for them without too much disruption to their daily routine and emotional well-being, it would be most beneficial if they were not moved to temporary housing.
3. We would incur a great deal of expense in storage fees and moving costs, which at this time would create a tremendous financial burden.
4. Our commitment from our mortgage broker will expire on May 1, 1989. At that time we would be required to re-apply, thereby costing us an additional point (or two) and in all likelihood the interest rate would be higher than the one we are currently locked in at.

We hope that the above will assist you in determining this case. Your kind cooperation in this matter would be greatly appreciated by us and by our children.

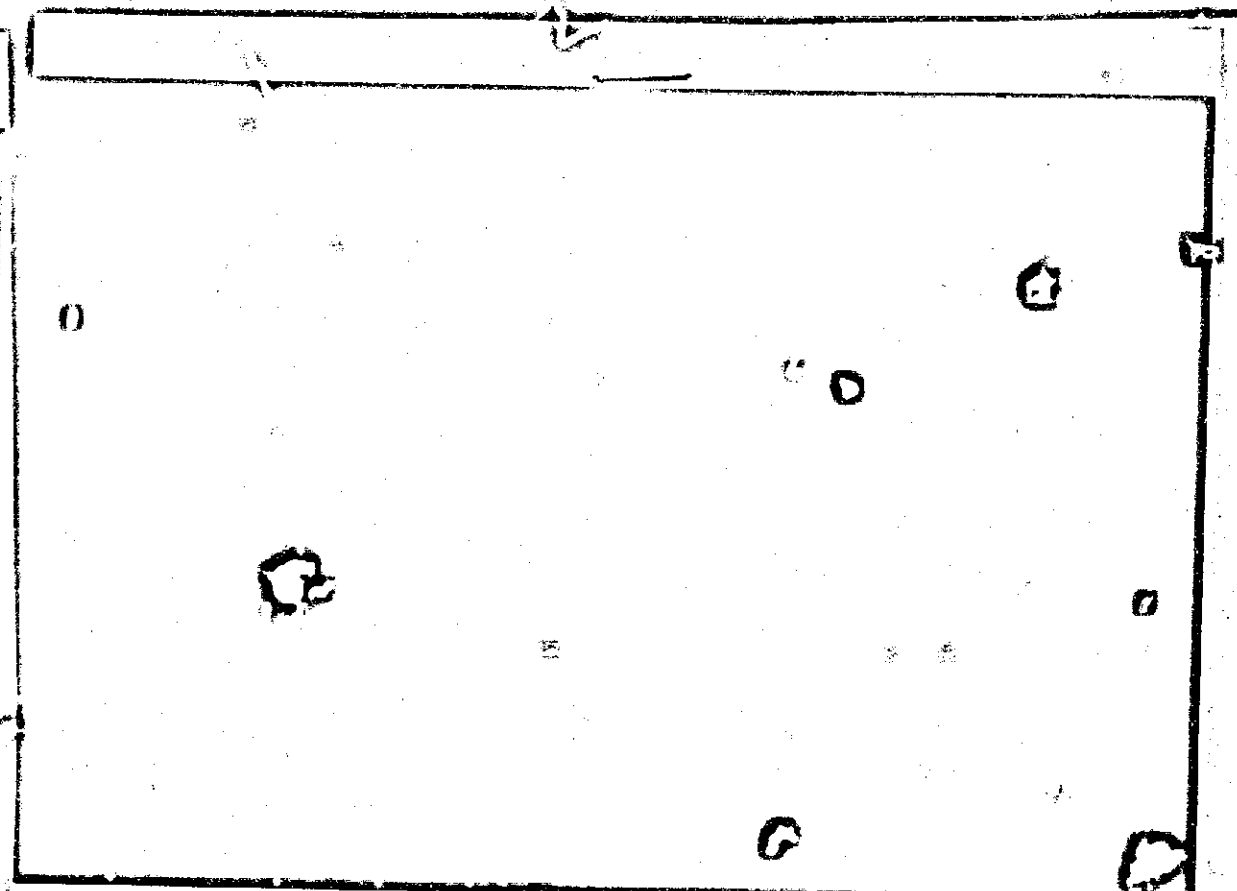
Very truly yours,
Gordon B. Lifson
Gordon B. Lifson
Ursula R. Lifson



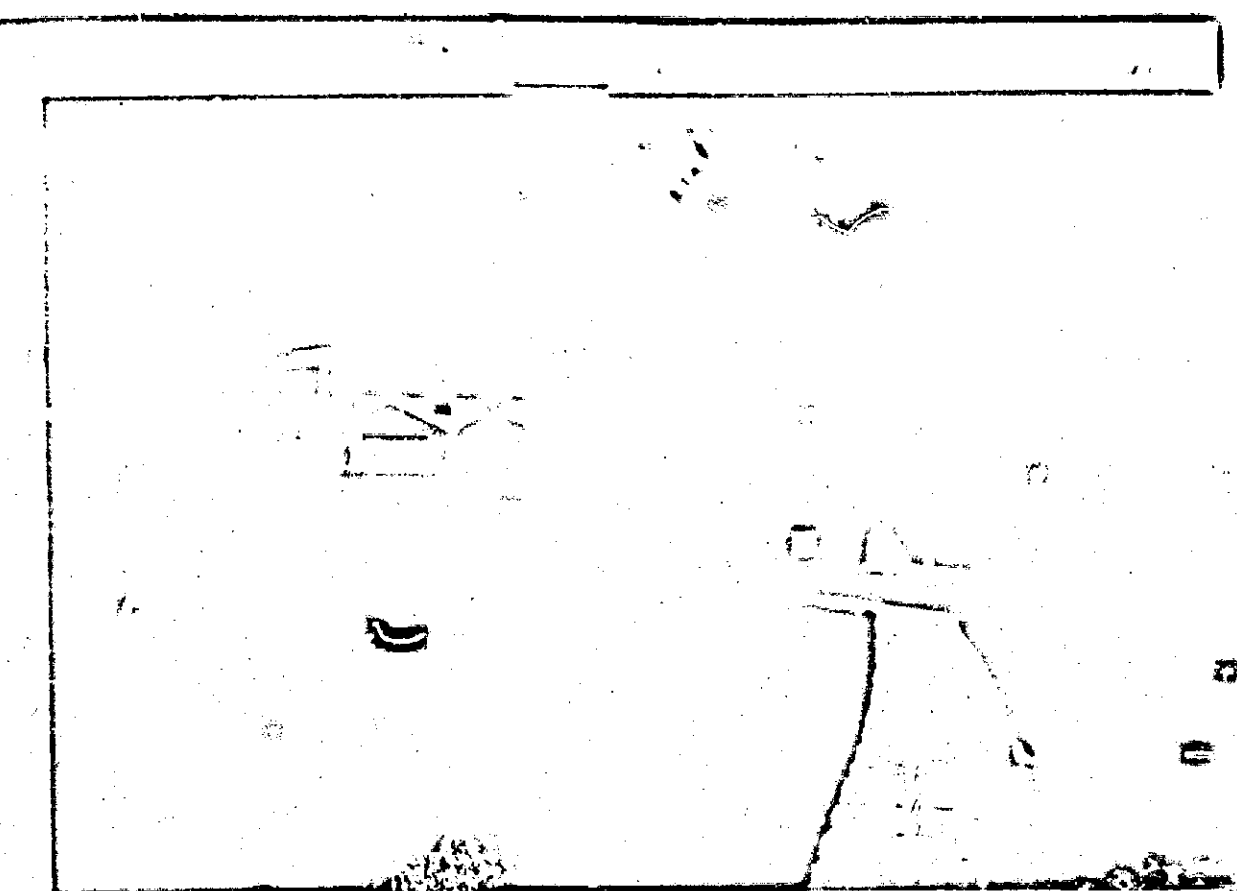
A. Case No. 89-425-A - Lot 58, N/S of Old Elm Court



B. Case No. 89-426-A - Lot 72, S/S of Old Elm Court.

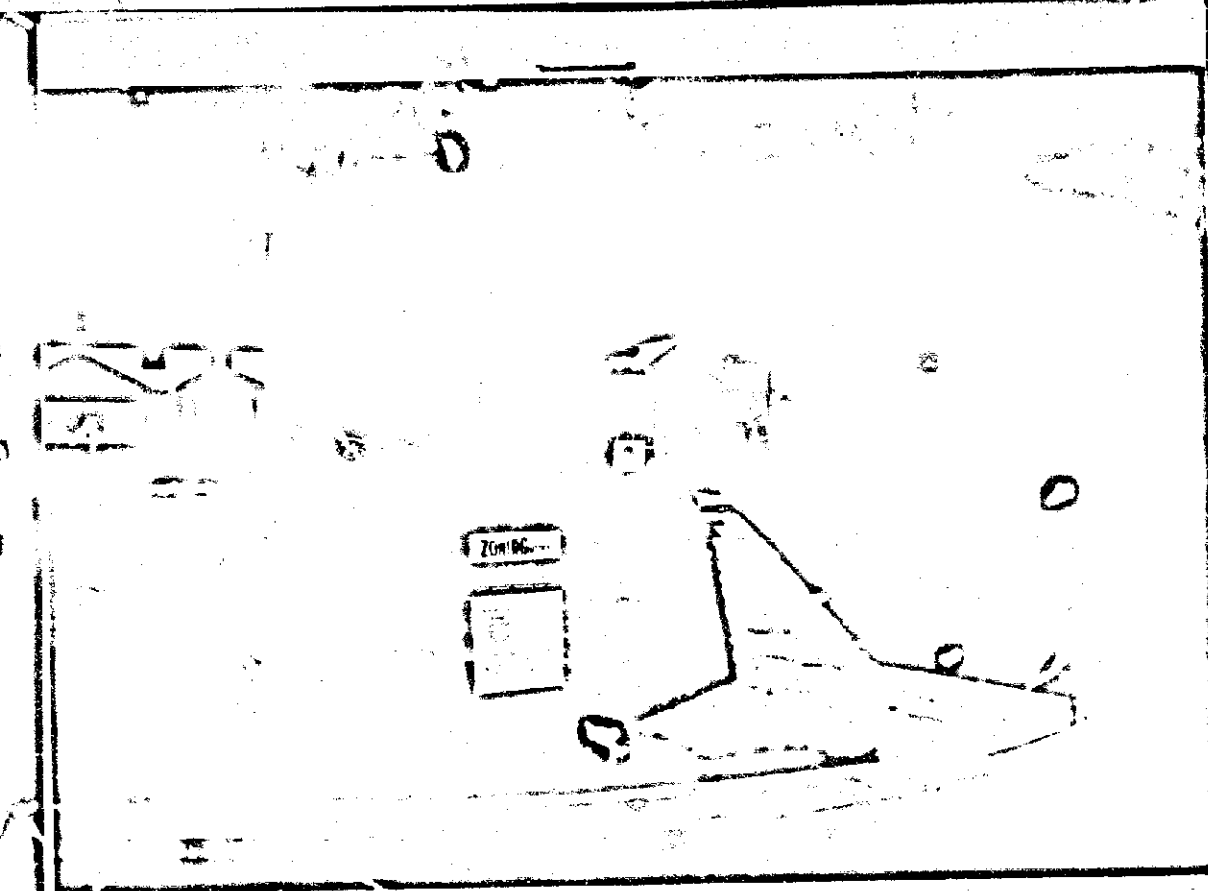


E. Lot 58, Looking W across Lot 57 (89-425-A)

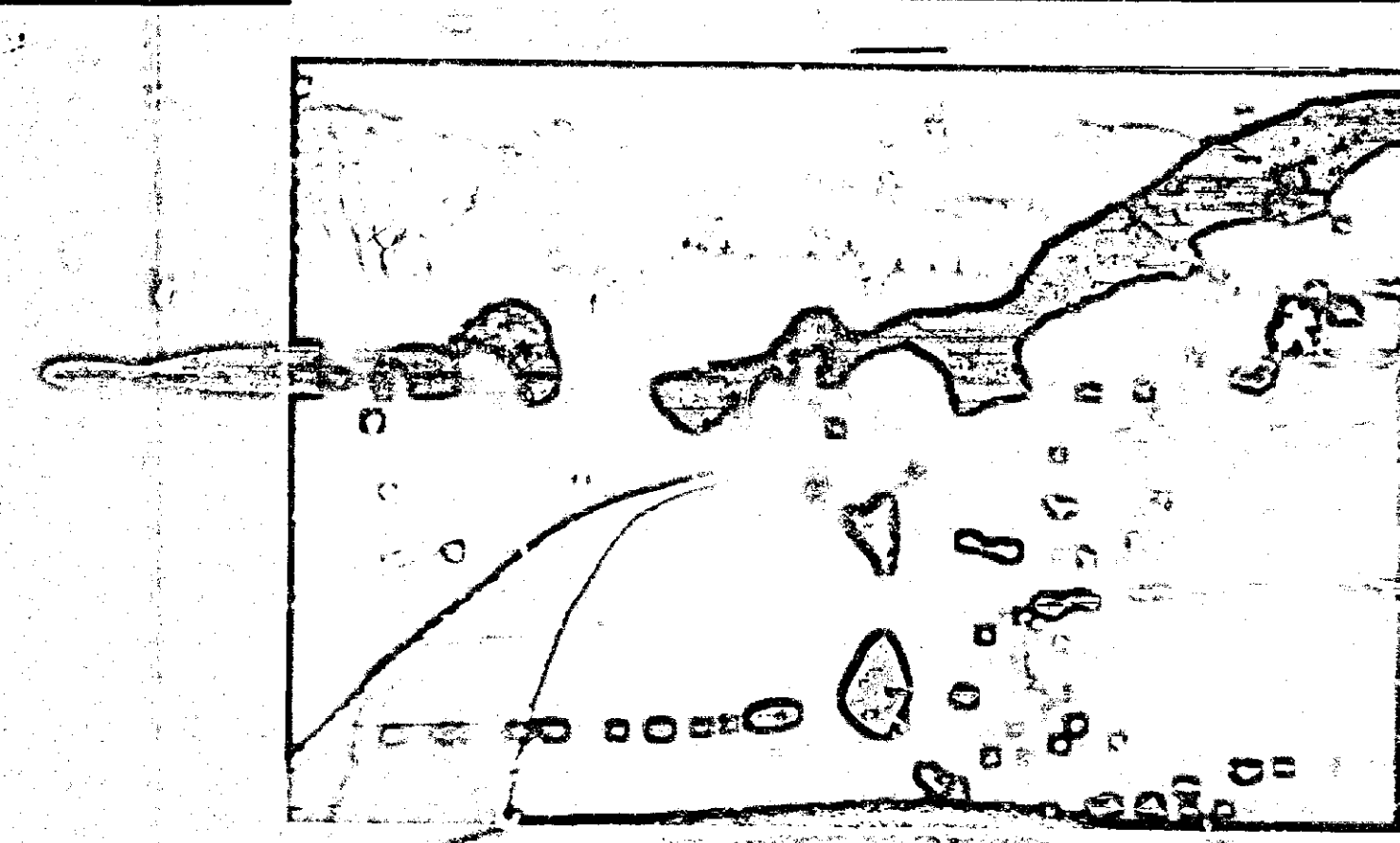


F. Lots 74 and 56 Looking N on Hill Spring Drive across Old Elm

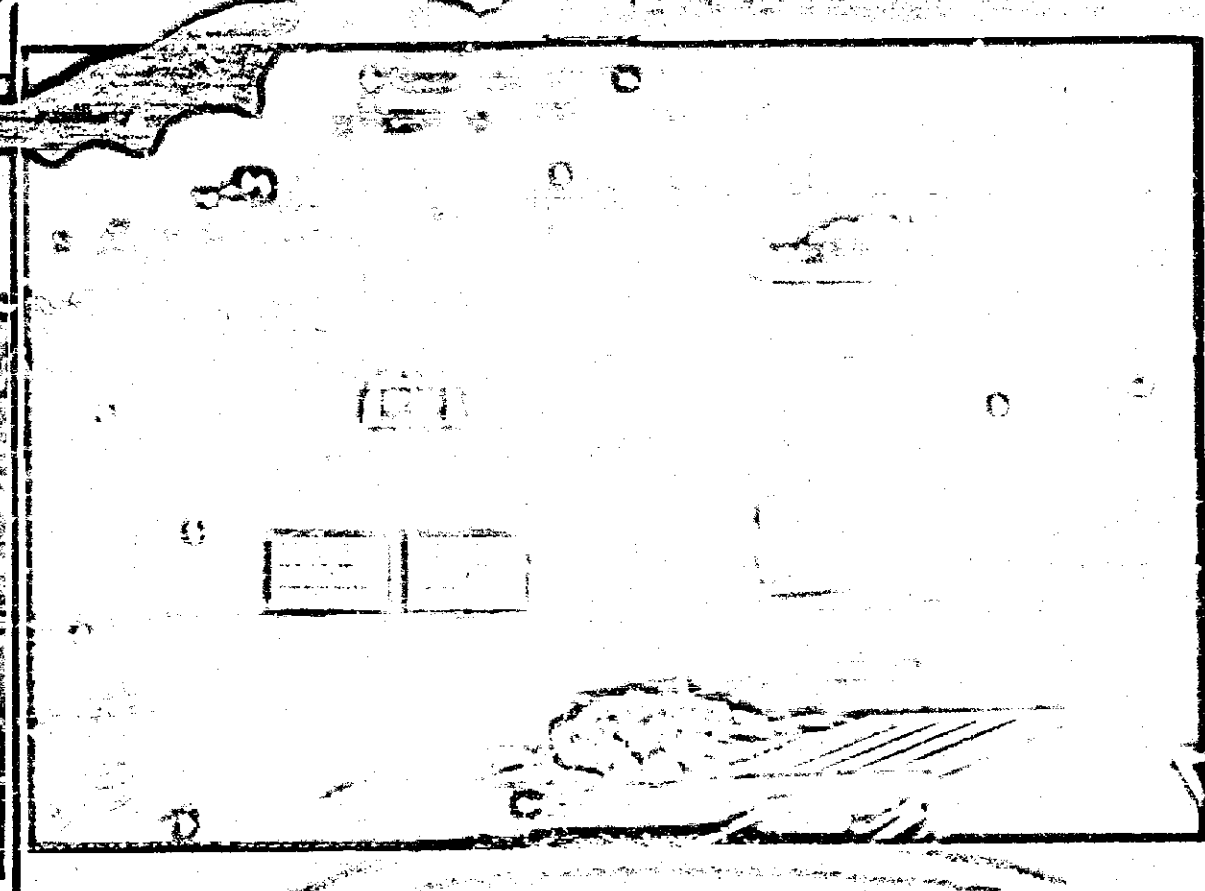
Hillside at Seminary
Variances Case.



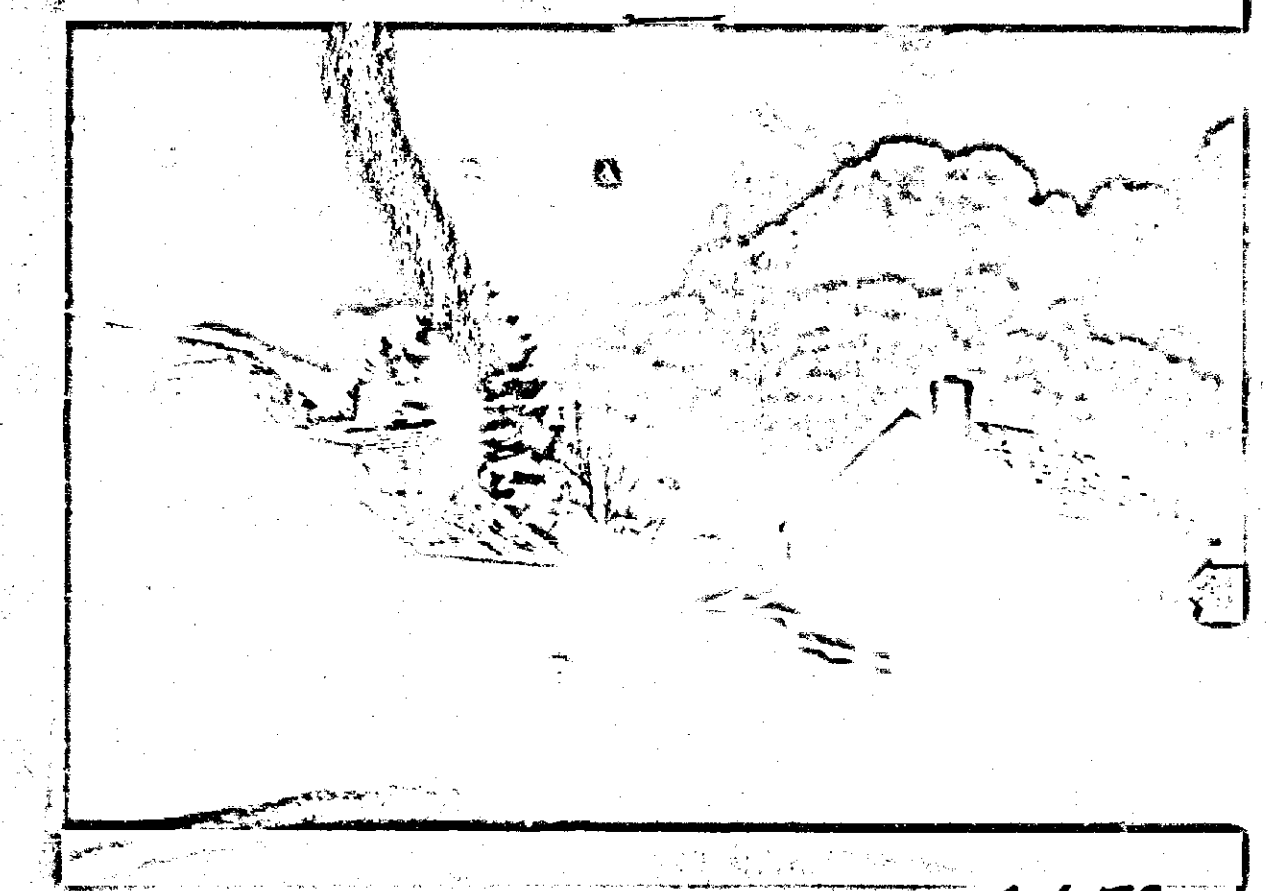
C. Lot 56 - NW 1/3 of Old Elm Ct. and Hill Spring Drive, looking N on Hill Spring



D. Lot 74 - SW 1/3 of Old Elm and Hill Spring Drive, looking South



H. Lot 64 - Looking N from Old Elm Ct.

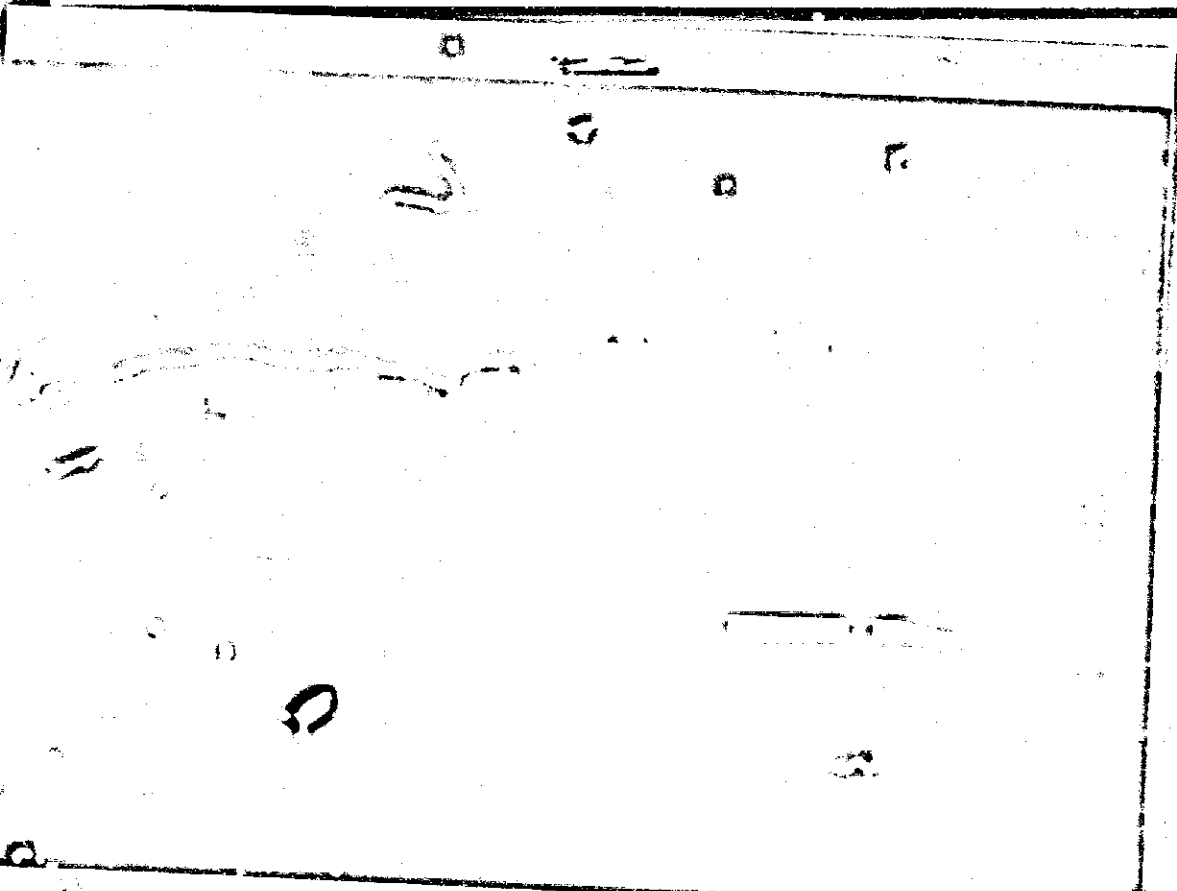


I. Lot 58, Looking NE across Lot 57 toward Lot 57

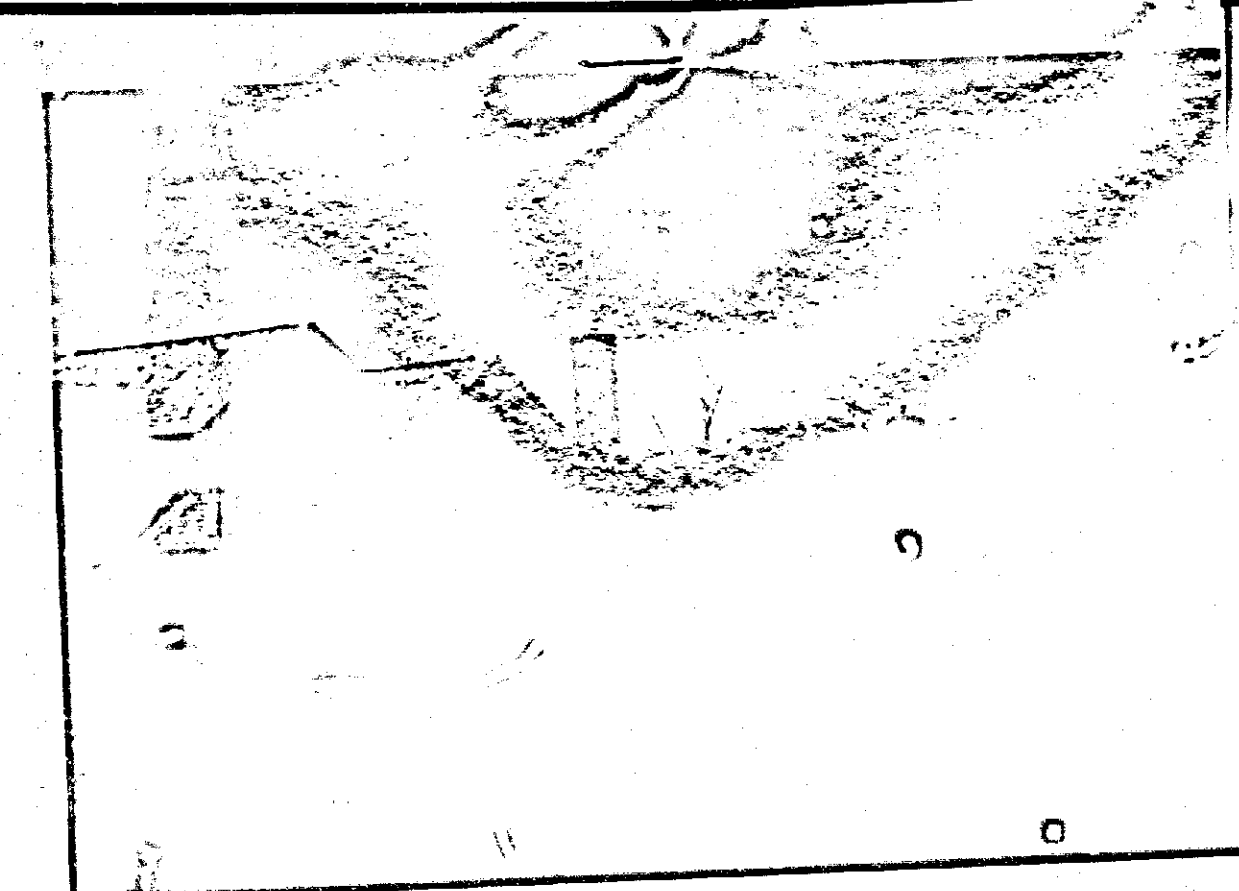
Case No. 89-426-A

Case No. 89-426-A.

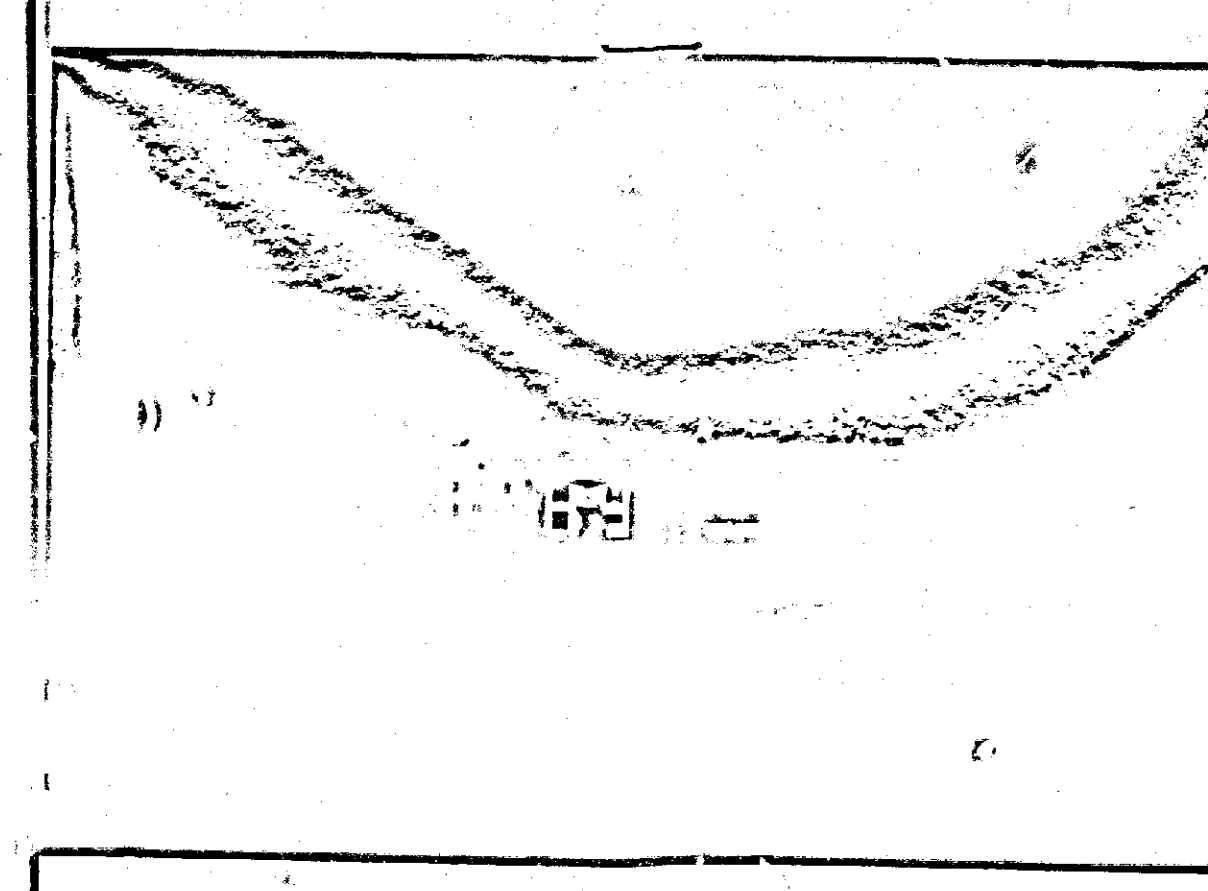
Case No. 89-425-A.



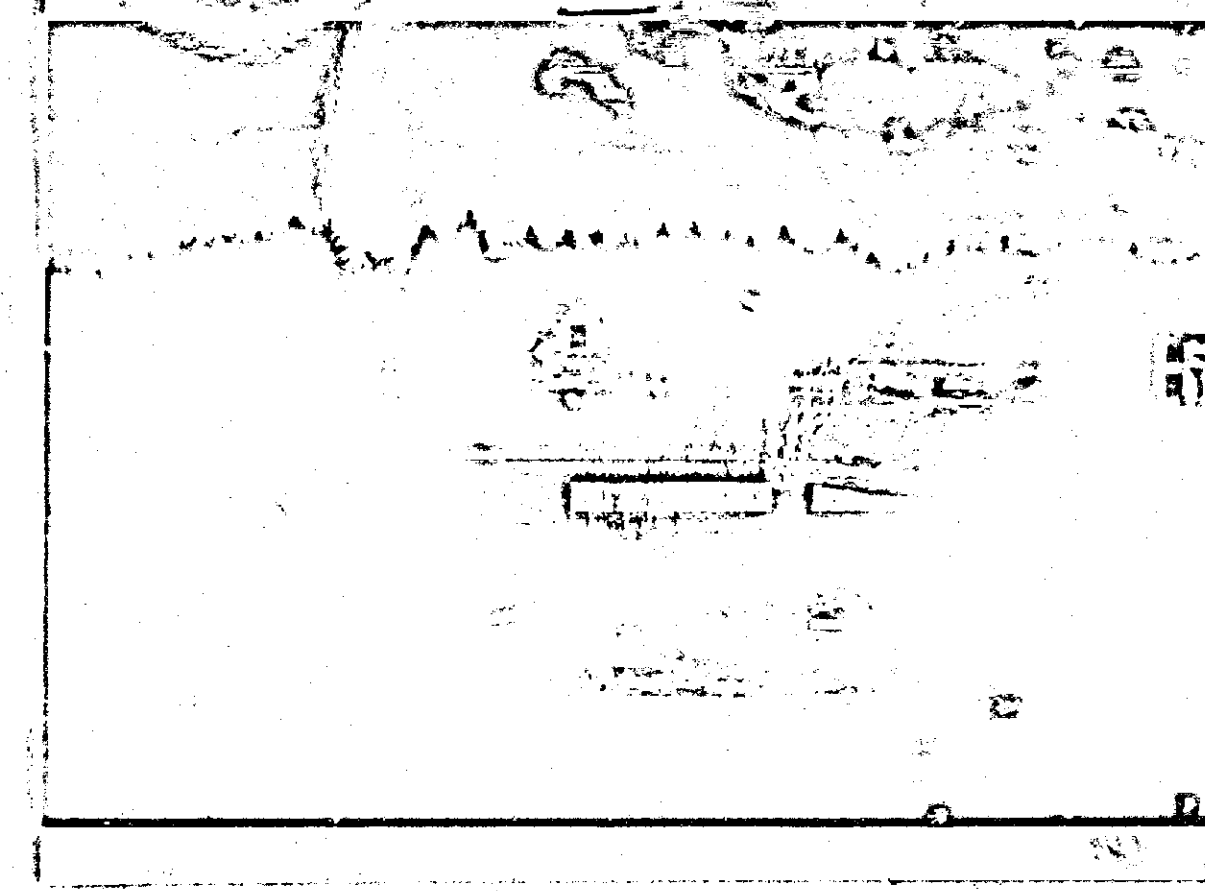
L. Lot 72, Looking S across Old Elm Court



J. Looking SE across corner of Lot 72 and side of Lot 73, N/S



K. Lot 74 at SWC of Old Elm and Hill Spring, looking SW - 89-426-A.



Z. Lot 72 on S/S of Old Elm Ct, looking SW -

89-426-A.

03-425-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
22nd day of March, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Diversified Homes
Petitioner's Attorney: *Newton Williams*

Received by: *James E. Dyer*
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 17, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Newton Williams, Esquire
Nolan, Plumoff & Williams
Suite 1105, Hampton Plaza
Towson, MD 21204

RE: Item No. 369, Case No. 89-25-A
Petitioner: Diversified Homes
Petition for Zoning Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Diversified Homes, MLP of MD
7920 McDonogh Road, Suite 102
Owings Mills, MD 21117

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Diversified Homes, MLP of MD

Location: N Side Old Elm Ct., West of Hill Spring Drive
Item No.: 369

Zoning Agenda: March 21, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Capt. J. Kelly* 3-17-89
Planning Group
Special Inspection Division

NOTED & APPROVED: *Capt. J. Brady*
Fire Prevention Bureau

/j1

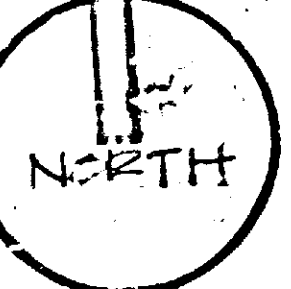
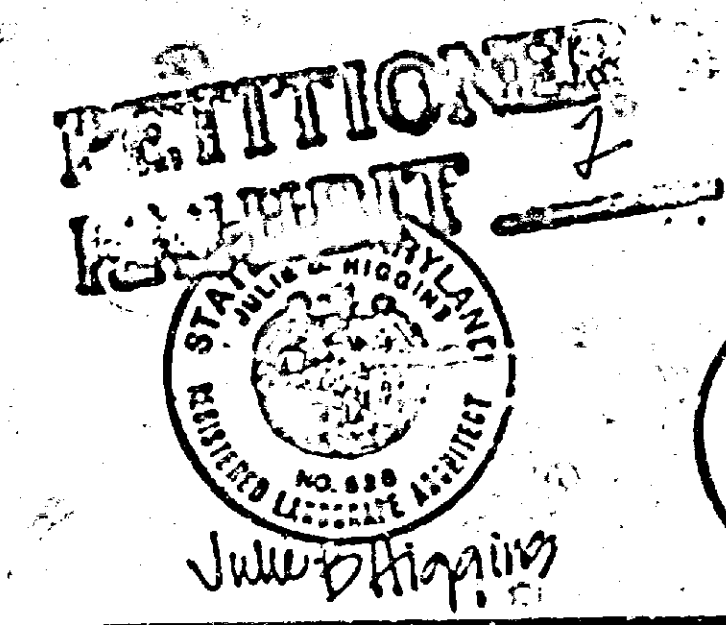
MAR 20 1989

THE HILLSIDE at SEMINARY
 BIR ELECTION DISTRICT BALTIMORE, MARYLAND
SITE PLAN TO ACCOMPANY PETITION FOR ZONING VARIANCE



SITE DATA

1. LOCATED IN ELECTION DISTRICT 8
2. EXISTING ZONING - DR-2
3. BOOK NO 55 FOLIO 74
4. EXISTING UTILITIES ARE IN OLD ELM COURT
5. THE OWNER OF LOTS 64, 65 & 74 IS THE HILLMAN AT SEMINARY JOINT VENTURE
6. THE OWNER OF LOTS 55 & 72 IS OVERSEER HOMES, MLP OF MD.



DATE	REVISIONS	BY
2-17-09	1	JHM
	2	JHM
	3	JHM
	4	JHM
	5	JHM
	6	JHM
	7	JHM
	8	JHM
	9	JHM
	10	JHM

SCALE: 1"=30'
 DATE: 2-17-09
 DESIGN: JHM
 DRAWN: JHM
 PROJECT NO: 004